

United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

E-FILING

UNITED STATES OF AMERICA

V.

Jaime COSILION-Lopez

(Name and Address of Defendant)

2008 MAR -4 P 3:41

RICHARD W. WIEKING
CLERKU.S. DISTRICT COURT
NORTHERN CALIFORNIACRIMINAL COMPLAINT
08-70125

RS

CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, February 26, 2008, in Monterey County in the Northern District of California defendant(s) was, (Track Statutory Language of Offense)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

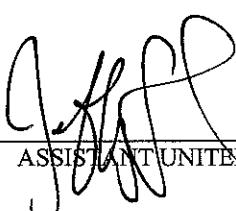
in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following
Official Title
facts:

SEE ATTACHED AFFIDAVIT

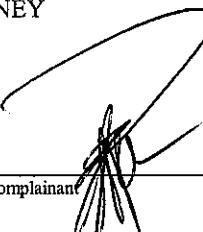
PENALTIES: \$250,000.00 fine, twenty (20) years imprisonment, \$100.00 special assessment fee, and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant.

APPROVED AS TO FORM:

 ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: Yes No

 Signature of Complainant

Sworn to before me and subscribed in my presence,

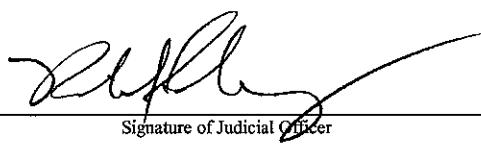
3/4/08

Date

at San Jose, California

City and State

Richard Seeborg
United States Magistrate Judge
Name & Title of Judicial Officer

 Signature of Judicial Officer

RE: COSILION-Lopez, Jaime A73 389 807

I am a Deportation Officer of the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) and have been employed since July 7, 1997. I am currently assigned to the Criminal Alien Program (CAP) Unit of the San Jose Sub-Office. In such capacity, I have reviewed the official file relating to the above named individual, which attests to the following:

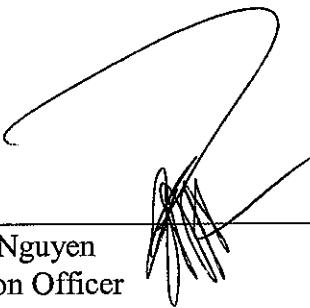
- (1) Mr. COSILION-Lopez is a 27-year-old male who has used eleven (11) aliases and three (3) dates of birth in the past.
- (2) Mr. COSILION-Lopez has been assigned one (1) Alien Registration number of A73 389 807, FBI number of 585770DB9, California Criminal Information Index number of A23732647, and a Monterey County Booking number 0802019.
- (3) Mr. COSILION-Lopez is a native of Mexico and a citizen of Mexico since birth. A check through official records shows that he was arrested and deported on three (3) occasions from the United States:

<u>DATE</u>	<u>PLACE OF DEPORTATION</u>
December 17, 1998	El Paso, TX/ PDN
February 24, 2000	El Paso, TX/ PDN
December 04, 2004	El Paso, TX/ PDN

- (4) Mr. COSILION-Lopez last entered the United States at or near Sinora, AZ on or after December 04, 2004, by crossing the international border without inspection subsequent to deportation.
- (5) Mr. COSILION-Lopez on a date unknown, but no later than February 26, 2008, in Monterey County in the Northern District of California, was found to be unlawfully present in the United States, after prior arrests and deportations, without the permission of the Attorney General or the Secretary of Homeland Security, in violation of Title 8, United States Code, Section 1326. On February 28, 2008, Mr. COSILION-Lopez was interviewed by Immigration Enforcement Agent (IEA) Patrick Malate at the Monterey County Jail, Salinas, CA, and during that interview, Mr. COSILION-Lopez was advised of his **Miranda** rights in Spanish and English. Mr. COSILION-Lopez waived his **Miranda** rights and provided a written sworn statement attesting to his alienage, prior deportation, and failure to obtain permission from the Attorney General or the Secretary of Homeland Security to re-enter the United States.

RE: COSILION-Lopez, Jaime A73 389 807

- (6) Mr. COSILION-Lopez was, on October 26, 1998, convicted in the District Court of the Sixth Judicial District of Idaho, in and for the County of Bannock, for the offense of ACCESSORY TO BURGLARY, a felony, in violation of Idaho Code 18-1401 and 18-205, and was sentenced to two (2) years in prison.
- (7) Mr. COSILION-Lopez was, on February 26, 2001, convicted in the United States District Court, District of Idaho, for the offense of ILLEGAL ENTRY, a felony, in violation of Title 8 United States Code, Section 1325(a), and was sentenced to twenty-four (24) months in prison.
- (8) On the basis of the above information, there is probable cause to believe that Mr. COSILION-Lopez illegally re-entered the United States, in violation of Title 8, United States Code, Section 1326.



Trong Q. Nguyen
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 4th day of March, 2008



RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE